

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 6, 1955
10:00 A.M.

Council Chamber, City Hall

THE STATE OF TEXAS :

COUNTY OF TRAVIS :

REGULAR MEETING

CITY OF AUSTIN :

ON THIS the 6th day of October, 1955, the City Council of the City of Austin, Texas, convened in Regular Session, at the regular meeting place thereof in the City Hall. The meeting was called to order, with Mayor Miller presiding. The roll was called showing the following:

PRESENT:

Tom Miller, Mayor
Lester E. Palmer, Councilman,
Wesley Pearson, Councilman,
Ben White, Councilman

ABSENT:

Emma Long, Councilman

when, among other proceedings had, were the following:

Councilman White introduced a resolution and moved its adoption. The motion was seconded by Councilman Pearson. The motion, carrying with it the adoption of the resolution, prevailed by the following vote:

AYES: Mayor Miller, and Councilmen Palmer, Pearson, White

NOES: None.

The RESOLUTION is as follows:

RESOLUTION

AUTHORIZING THE CITY MANAGER TO PUBLISH NOTICE OF THE INTENTION OF THE CITY COUNCIL TO ISSUE NOT EXCEEDING \$500,000.00 RIGHT-OF-WAY WARRANTS OF THE CITY OF AUSTIN, TEXAS, FOR THE PURPOSE OF PAYING CLAIMS TO BE INCURRED

IN PURCHASING RIGHT-OF-WAY FOR PUBLIC STREETS IN THE CITY OF AUSTIN, INCLUDING RIGHT-OF-WAY FOR EXPRESSWAYS AND OTHER STATE HIGHWAYS WITHIN THE CITY, AND EASEMENTS AND RIGHT-OF-WAY FOR DRAINAGE THEREOF, AND ALL NECESSARY AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH.

WHEREAS, the City Council deems it advisable and necessary to acquire right-of-way for public streets in the City of Austin, including right-of-way for expressways and other state highways within the City, and easements and right-of-way for drainage thereof; and,

WHEREAS, the City Council deems it advisable and necessary to issue interest-bearing time warrants of said City for the purpose of paying claims to be incurred in purchasing such right-of-way for public streets in the City of Austin, including right-of-way for expressways and other state highways within the City, and easements and right-of-way for drainage thereof, and all necessary and incidental expenses in connection therewith; and,

WHEREAS, it is proper and necessary that the City Council give notice of its intention to issue such interest bearing time warrants;

BE IT RESOLVED BY THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized, ordered and instructed to do all things necessary and/or convenient to have published the notice required by Chapter 163, Acts of the Regular Session of the Forty-second Legislature of Texas, as amended; that said notice shall signify the intention of the City Council of said City to issue not exceeding Five Hundred Thousand (\$500,000.00) Dollars interest-bearing time warrants, to mature serially, the maximum maturity of which shall be not later than ten (10) years from their date, to bear interest at a rate not to exceed two (2%) per cent per annum, and to be payable out of an ad valorem tax to be levied against the taxable property in said City, such time warrants to be issued for the purpose of paying claims to be incurred in purchasing right-of-way for public streets in the City of Austin, including right-of-way for expressways and other state highways within the City, and easements and right-of-way for drainage thereof, and all necessary and incidental expenses in connection therewith.

ADOPTED AND APPROVED this 6th day of October, 1955.

(Sgd) Tom Miller
MAYOR, City of Austin, Texas

ATTEST:

(Sgd) Elsie Woosley
CITY CLERK

APPROVED:
(Sgd) Doren R. Eskew
CITY ATTORNEY

Invocation was delivered by REV. RICHARD HEACOCK, District Superintendent, Austin District of Methodist Churches.

Councilman White moved that the Minutes of the Special Meetings of September 23rd and September 27th, and Regular Meeting of September 29th be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on October 5, 1955, bids were received by the City of Austin for the construction of an Austin Health Center at 14th and Sabine Streets; and,

WHEREAS, it is the intent of the City of Austin to award contracts for the various portions of such construction to the lowest acceptable bidder, subject to the approval of the bidding documents by the Federal Government; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That this declaration of the intent of the City to award contracts to the lowest acceptable bidder, subject to such approval, be and the same is hereby expressed.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman

MR. WALTER BONUGLI, 700 Landon Lane, appeared before the Council regarding a drainage problem in his alleyway. The City Manager explained this problem, stating this was a natural drain in there; and that this situation has existed for many years. The ditch has prevented any use of the property as an alley, and it has been suggested that the owners of the abutting property petition the City to close the alley, and the City could then participate with the property owners by putting in the pipe with the owners paying for the pipe. For the cost of the pipe, the owner would have use of the ground. Councilman White stated he would like to go out there and see the situation. The Mayor suggested that Mr. Bonugli get with the other property owners and see if they would not go in as suggested.

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT ON THE SOUTH 10 FEET OF LOT 18, AND ALL OF LOTS 19, 20 AND 21, OUTLOT #8, DIVISION D, SHOAL CREEK BOULEVARD LOTS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, Mayor Miller

Noes: Councilman White

Absent: Councilman Long

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT ON LOT 17, OUTLOT 28, DIVISION D, SHOAL CREEK BOULEVARD LOTS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, Mayor Miller
Noes: Councilman White
Absent: Councilman Long

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT ON LOT 22, SHOAL CREEK BOULEVARD LOTS SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearsin, Mayor Miller
Noes: Councilman White
Absent: Councilman Long

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF THREE (3) ACRES OF LAND, MORE OR LESS, OUT OF THE T. J. CHAMBERS GRANT, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Balmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by

Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
 Noes: None
 Absent: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the north side of East 51st Street and lying between the Interregional Highway and Cameron Road, and which property fronts 85.75 feet on East 51st Street, 135 feet on the Interregional Highway and 140 feet on Cameron Road and being known as a part of lot 5, block M, Ridgetop Addition to the City of Austin, Travis County, Texas, and hereby authorizes the said Humble Oil and Refining Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Humble Oil and Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"October 6, 1955

"Mr. W. T. Williams, Jr.
 City Manager
 Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Humble Oil and Refining Company for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the north side of East 51st Street and lying between the Interregional Highway and Cameron Road, and which property fronts 85.75 feet on East 51st Street, 135 feet on the Interregional Highway and 140 feet on Cameron Road and being known as a part of lot 5, block M, Ridgetop Addition to the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Miss Lydia Littman and under lease to Humble Oil and Refining Company and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is

designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Humble Oil and Refining Company be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1405.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1405 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a certification of Operation before such filling station can be put into service.

"Respectfully submitted
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

In accordance with the published notice thereof, at 10:30 o'clock A.M. it was announced that the Council would proceed with the hearing involving the improvement of Shoal Creek Boulevard (west side) north of West 49th Street; Shoal Creek Boulevard (east side) south of Hancock Drive; Karen Avenue (north side) west of Grover Avenue; Karen Avenue (south side) east of Woodrow Avenue; Karan Avenue (north side) east of Woodrow Avenue; Brentwood Street (south side) west of Grover; and Karen Avenue (south side) west of Grover, the benefits which would result to the abutting property and owners, the amount of the costs of such improvements to be assessed against the abutting property and owners, and all related matters. No one appeared. Councilman Palmer moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in CUMBERLAND ROAD from South Congress Avenue westerly to South First Street,

the centerline of which underground telephone conduit shall be 22 feet north of and parallel to the south property line of said CUMBERLAND ROAD.

(2) An underground telephone conduit in CUMBERLAND ROAD from South First Street westerly to South Fifth Street, the centerline of which underground telephone conduit shall be 20 feet south of and parallel to the north property line of said CUMBERLAND ROAD.

(3) An underground telephone conduit in SOUTH 5TH STREET from Cumberland Road northerly to a point 100 feet north of West Oltorf Street, the centerline of which underground telephone conduit shall be 15 feet west of and parallel to the east property line of said SOUTH 5TH STREET.

(4) An underground telephone conduit in WEST OLTORF STREET from South 5th Street westerly to a point 150 feet west of Havenside Drive, the centerline of which underground telephone conduit shall be 15 feet south of and parallel to the north property line of said WEST OLTORF STREET.

(5) An underground telephone conduit in WEST OLTORF STREET from a point 150 feet west of Havenside Drive westerly to Thornton Road, the centerline of which underground telephone conduit shall be 25 feet north of and parallel to the south property line of said WEST OLTORF STREET.

(6) An underground telephone conduit in BENTLEY STREET from Thornton Road easterly to South Lamar Boulevard, the centerline of which underground telephone conduit shall be 10 feet east of and parallel to the west property line of said BENTLEY STREET.

(7) An underground telephone conduit in SOUTH LAMAR BOULEVARD from Bentley Street westerly to Barton Skyway, the centerline of which underground telephone conduit shall be 15 feet north of and parallel to the south property line of said SOUTH LAMAR BOULEVARD.

(8) An underground telephone conduit across SOUTH LAMAR BOULEVARD from a point 15 feet north of the south property line northerly to the north property line, the centerline of which underground telephone conduit shall be 15 feet west of the east property line of Kinney Avenue.

(9) An underground telephone conduit across SOUTH LAMAR BOULEVARD from a point 15 feet north of the south property line northerly to the north property line, the centerline of which underground telephone conduit shall be 15 feet west of the east property line of Goodrich Avenue.

(10) An underground telephone conduit across SOUTH LAMAR BOULEVARD from a point 15 feet north of the south property line northerly to the north property line, the centerline of which underground

telephone conduit shall be 10 feet west of the east property line of Bluebonnet Lane.

(11) An underground telephone conduit across SOUTH LAMAR BOULEVARD from a point 15 feet north of the south property line northerly to the north property line, the centerline of which underground telephone conduit shall be at the west property line of Barton Skyway.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 4, 1955, for the construction of approximately 19 blocks of pavement and accessories known as Voluntary Paving Contract Number 55-V-5, Units 1 through 9; and,

WHEREAS, the bid of Raymond Canion in the sum of \$55,536.88 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Raymond Canion in the sum of \$55,536.88 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Raymond Canion.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 4, 1955, for the construction of a reinforced concrete culvert on West 35th Street east of Scenic Drive; and,

WHEREAS, the bid of Maufrais Bros. in the sum of \$5,907.60 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Maufrais Bros. in the sum of \$5,907.60 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Maufrais Bros.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Walker & Sons is the Contractor for the addition to a building located at 1509 Guadalupe Street and desires a portion of the sidewalk and street space abutting the north 55 feet of Lot 1, Block 38, Division E, of the Original City of Austin, Travis County, Texas, during the addition to the building, such space to be used in the work and for the storage of materials therefore; therefor

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Walker & Sons, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the south west corner of the above described property; thence in a westerly direction and at right angles to the centerline of Guadalupe Street to a point even with the east curb line; thence in a northerly direction and parallel to the centerline of Guadalupe Street 55 feet to a point; thence in an easterly direction and at right angles to the center line of Guadalupe Street to the north west corner of the above described property .

2. THAT the above privileges and allotment of space are granted to the said Walker & Sons, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards

at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway the contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "NO PARKING " signs shall be placed on the street side of the barricades.

(5) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(6) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(7) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(8) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such times to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than December 31, 1955.

(9) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(10) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(11) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(12) That the Contractor shall furnish the City of a surety bond in the

sum of \$1,000.00, One Thousand Dollars which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON 5.55 ACRES OUT OF A PORTION OF A 30.0 ACRE TRACT OUT OF OUTLOT NO. 27, DIVISION "B", OF THE GOVERNMENT'S OUTLOTS ADJOINING, THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

The ordinance was read the third time and Councilman Pearson moved that

the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long.

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Veterans of Foreign Wars, a Veterans' organization is planning to construct a building to be used for organization purposes at the southeast intersection of East 11th Street and San Jacinto Street in the City of Austin; and,

WHEREAS, according to maps, files and records in the Engineering Department of the City of Austin, it appears that such building will extend over the property line on the west side into the sidewalk area of San Jacinto Street; and,

WHEREAS, the building will be on line with other buildings established and built in Austin for many years; and,

WHEREAS, this street is permanently paved with curb and gutter, and said curb and gutter lines and paving were built pursuant to lines and grades established by the Engineering Department of the City of Austin; and,

WHEREAS, the lines of the proposed building are therefore recognized as being satisfactory from the standpoint of public convenience and necessity; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That it is the sense of the City Council that the proposed building lines are satisfactory; that the City of Austin has no intention of asking that either this, or any existing building on the east side of San Jacinto Street be moved to conform to the legal property line, and this Resolution is to so express the opinion of the City Council that the building as proposed by the Veterans of Foreign Wars, is acceptable and does conform to the established building line of the street named and that the encroachment on public property is not serious and not one that the City would consider it necessary to abate.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Police Department does not now have adequate facilities for protecting motor vehicles and other impounded property, and does not have adequate facilities for maintenance of police vehicles; and,

WHEREAS, such suitable facilities to house and provide such services is not elsewhere owned by the City in such proximity as to be economically and safely operated by the Police Department; and,

WHEREAS, such adequate facilities are available for lease to the City of Austin by Ben H. Powell, Jr. upon terms and conditions more fully set forth in that certain Lease Contract, exhibited to the City Council by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized and directed to execute said Lease Contract for said premises in behalf of the City of Austin.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 23, 1955, for the furnishing of anhydrous ammonia to the City of Austin during the 24 month period beginning January 1, 1956; and,

WHEREAS, the bid of Lanford Equipment Company for furnishing the ammonia in bulk tank truck deliveries at 12-1/2 cents per pound in lots of 1,000 pounds or over, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of Water and Sewage Treatment of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Lanford Equipment Company for furnishing the ammonia in bulk tank truck deliveries at 12-1/2 cents per pound in lots of 1,000 pounds or over, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Lanford Equipment Company.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent: Councilman Long

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE.

TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

The Council postponed the public hearing of the zoning application of T. T. TALLEY, 1914-16 Lake Austin Boulevard, and 501 Arlington, from "LR" Local Retail to "C-1" Commercial, set for public hearing for October 13th, until a later date.

Councilman Pearson submitted the request of MR. STUART WATT that a certain alley be closed, and stated that the Director of Public Works would check into it; and if it were in order, a resolution would be ready next Thursday.

There being no further business the Council adjourned at 10:55 A.M. subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elise Hawley
City Clerk